

(Translation)

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al.

- vs -

ARAKI, Sadao, et al.

SWORN DEPOSITION

Deponent: HORINOUCHI, Kensuke.

Date of birth: March 30, 1866.

Domicile: 871 Shimo-Meguro 4chome, Meguro-ku, Tokyo.

Having first duly sworn an oath as on the attached sheet and in accordance with the procedure followed in our country, I hereby depose as follows:

(1) I was appointed diplomatic attache on November 2, 1911, and remained in the diplomatic service until I retired from office on December 21, 1940. During that period, I was in the office of Chief of the Second Section, Bureau of European and American Affairs, under Mr. Hata, Koki, as Director of the said Bureau, from September, 1923, to December of the same year, and then in the office of Director of the Bureau of Investigation and Research and Director of the Bureau of American Affairs under Foreign Minister Hirota from March, 1934, to March, 1936. Then I was appointed Vice-Minister for Foreign Affairs in April, 1936, and remained in that office until October 15, 1938, when I was appointed Ambassador to the United States. As Vice-Minister for Foreign Affairs, I served under Foreign Minister Arita of the Hirota Cabinet from April, 1936, to February, 1937, and under Foreign Minister Hirota in the Konoye Cabinet, from June, 1937, to May, 1938.

(2) The conclusion of the Anti-Comintern Pact was originated in the diplomatic opinions held by Foreign Minister Arita of the Hirota Cabinet. Mr. Arita had always been aware of the existence among Japanese chauvinistic elements who propagandized opening war against the Soviet, and always been of opinion that the Communists' activity in China is a thing that must be closely watched from Japanese standpoint. He, however, entertained a firm belief, obtained through his long career as a diplomat as well through his earnest study of political affairs of Europe, that Japan should maintain friendly relations with the Soviet Union. He was ordered home in October, 1936, to be appointed Ambassador to China. Immediately before he left Europe, he made a tour round Germany and Poland for a short period. And he was told, by Minister Ito and Military Attache Yamawaki at Warsaw as well as by Military Attache Oshima at Berlin, that the military power of the Soviet Union should by no means be slighted, to the confirmation of his old belief.

Mr. Arita regarded it necessary to take precautions against the activity of the Soviet Government in the Far East, and entertained also an opinion that the Japanese Government should naturally make some political arrangement with Germany, which was similarly interested in the activity of the Soviet Union. He felt, further, the necessity of alleviating the sense of international isolation prevalent among the Japanese general public after the Manchurian affair, and considered that the rapprochement between Japan and Germany was the most effectual way for that purpose.

The above statement is based upon what I was told directly by Mr. Arita.

(3) Mr. Arita, after arriving in Tokyo in January, 1936, was appointed Ambassador to China, and reached Shanghai toward the end of February. In the middle of March, however, he was ordered home to be appointed Foreign Minister in the Hirota Cabinet. He took office as Foreign Minister on April 2, and, shortly after that, I was appointed Vice-Minister for Foreign Affairs. At that time, he had an interview with Ambassador Mushakoji, who was just leaving Japan again to return to his post in Berlin. On that occasion, the Foreign Minister revealed the above-mentioned views of his Brussels days, and told the Ambassador that he considered it necessary to take some steps towards Germany. And at the beginning of May, about one month after the Ambassador left Tokyo, Foreign Minister Arita ordered him by wire that he should sound the intention of the German Government about the project to make a political rapprochement in a vague and elastic formula, without limiting the subject, between Japan and Germany. It was through submitting a draft of this telegraphic instruction that the Foreign Minister first revealed to Premier Hirota his intention to bring about a rapprochement between Japan and Germany. And, so far as I know, such rapprochement had never been considered during the period when Mr. Hirota was Foreign Minister in the preceding Cabinet or when he temporarily held the additional office of Foreign Minister in his own Cabinet prior to the appointment of Mr. Arita.

Mr. Yoshida, newly appointed Ambassador to Britain, also had a talk with the Foreign Minister early in May, just before he left Tokyo. The Foreign Minister asked him, on that occasion, to strive for the political rapprochement of the same nature between Japan and Britain.

(4) Telegraphic reports were received from Ambassador Mushakoji at Berlin considerably frequently, in connection with the instructions of the beginning of May, informing the Foreign Minister that time seemed to be ripe within Germany for the rapprochement with Japan. The negotiations made a rapid progress, and early in July the Ambassador reported by wire that a draft of the Japanese-German Anti-Comintern Pact was submitted to him by the German Government. The draft had a preamble appearing unnecessarily hostile against the Soviet Union. The annexed agreement, which was later made secret agreement in accordance with the wishes of the Japanese Government, was not to be kept secret in the first proposal. It may be said in this connection that the above-mentioned telegraphic reports of Ambassador Mushakoji were found, on examination, to have been lost in the fire, the originals as well as the copies.

The Foreign Office gave a careful consideration to the German proposal from the following two viewpoints. The preamble appearing unnecessarily hostile against the Soviet Union was amended, together with two or three other wordings which required modification.

(1) Whereas the Soviet-German relations were comparatively simple, the Soviet-Japanese relations were complicated and delicate, with their questions of boundary lines and of treaties for fishing rights and other concessions. Precautions were necessary, therefore, not to stimulate the Soviet Union unduly, so that the coalition between Japan and Germany might not provoke hostilities between Japan and the Soviet Union.

(2) It was also necessary not to cause undue uneasiness to the Powers, especially to Britain, through the coalition between Japan and Germany.

In the meantime, a conference was held in this connection among the authorities of the Foreign Office, the War Office and the Navy Ministry, and we found that there was a strong objection within the Army against the rapprochement between Japan and Britain. The Foreign Office maintained that it was not advisable to conclude a political agreement of this kind exclusively with Germany, and that similar agreements should be concluded also with other Powers, especially with Britain. It was also added that the Foreign Office had no objection to proceeding with the negotiation with Germany first, which had already made a considerable progress, if there were difficulties in concluding agreements with Britain at the same time with Germany. This conference of the competent authorities of the three ministries, however, did not reach a perfect accord.

Such being the situation, a conference was held on July 24, at the official residence of the Foreign Minister, between the responsible heads of the Foreign Office and the War Office. Foreign Minister Arita, myself and Director Togo of the European-Asiatic Bureau attended the conference on behalf of the Foreign Office, while War Minister Terauchi, Vice-Minister Umezu and Director Machijiri of the Bureau of Military Affairs came from the War Office. The above-mentioned opinion of the Foreign Office was submitted to this conference in writing, and careful consideration was given to it. This document had been drawn up by Director Togo in accordance with the orders of the Foreign Minister. It is reported, upon examination, that a copy of this document is still preserved in the files of the Foreign Office.

The military authorities raised a strong objection to the rapprochement between Japan and Britain at first, but the Foreign Office maintained that, so long as the Army did not consent to the rapprochement between Japan and Britain, the Foreign Office would not proceed with the negotiation with Germany. At last the Army yielded, and Foreign Minister Arita, together with War Minister Terauchi, signed the document in token of their agreement.

(5) The Anti-Comintern Pact was concluded, through such process, on November 25, 1936. Some people misunderstood this Pact to be of aggressive nature, because of the secret agreement annexed to it. But it was by no means of such nature, as the contents of the secret agreement prove it. The Pact in question was originally proposed by the German Government, and when it was first submitted to the Japanese Government, the annexed agreement was not to be kept in secret. It was made a secret agreement only in accordance with the desire of the Japanese Government which feared to stimulate the Soviet Union unduly thereby.

In the opinion of the Foreign Office, it was a matter of common knowledge to the majority of the nations of the world that the activity of the Communist International was in reality backed by the Soviet Government. There could be, of course, various ways of backing its activity, but it was altogether possible that the support might be lent by armed force. And it was especially so in the Far East where the activity of the Chinese Communist Force was virulent. It was indeed such fear which drove the Japanese Government to conclude the annexed agreement in question.

(6) As regards the rapprochement between Japan and Britain, Ambassador Yoshida, on arriving in Britain in June, 1936, set about sounding the intentions in this connection of those people representing various spheres of activity there. His telegraphic reports not a little encouraged the Foreign Office, though his efforts did not go beyond the stage of sounding yet. Meanwhile, the Koolung incident occurred in October, and, hampered by this incident, the situation had not made enough development to start a concrete negotiation with the British Government upon this problem, when the conclusion of the Japanese-German Anti-Comintern Pact was officially announced in November. This Pact was very unpopular with the British general

public. To tell the truth, the Foreign Office had expected that West-European Powers and the United States, which were exercising caution against the activity of the Communist International, would welcome the conclusion of the said Pact, and that a favourable effect would be brought upon the desired rapprochement between Japan and Britain. For, the actions taken at the Seventh General Meeting of the Communist International held at Moscow in July and August of 1935 had aroused caution on the part of all the non-communistic powers of the world, and protests had been lodged with the Soviet Government by the Governments of Britain, the United States and other countries. The United States Government had made the strongest protest on the ground that the said actions taken by the Communist International imply the violation of the pledge which the Soviet Government had given not to interfere in the internal affairs of the United States. It was accordingly the intention of the Foreign Office to start negotiations for the rapprochement with the British Government as soon as the Japanese-German Anti-Comintern Pact be concluded. This intention of the Japanese Government had already been conveyed to the German Government while the negotiation was progressing at Berlin, and the latter had given its consent to the intention. Ambassador-at-Large Ribbentrop, who was expected to start for his new post in London as German Ambassador upon the completion of his work with the Anti-Comintern Pact, emphatically expressed his desire to take the initiative in this negotiation as soon as he arrived at the capital of Britain. The Japanese Government agreed to his desire. Though the Japanese-German Anti-Comintern Pact was unpopular as stated above, yet our Foreign Office expected that this misunderstanding might surely be removed through Ribbentrop's efforts. Nevertheless, his activity in Britain aggravated the unpopularity of the said Pact all the more contrary to our expectation, and the Foreign Office had to withhold for a while the effort at the rapprochement between Japan and Britain.

The Hirota Cabinet resigned en masse in February, 1937, but I remained in the office of Vice-Minister for Foreign Affairs. In June of the same year, the Konoye Cabinet was formed, and Mr. Hirota returned to the Foreign Office as Minister again. I was Vice-Minister for Foreign Affairs under him. He had not lost his zeal for the rapprochement with Britain, the effort at which had once been withheld by the Japanese Government. I will refer to this, later, as I proceed to the explanation of the circumstances of the negotiations with the Italian Government for a Japanese-Italian Anti-Comintern Pact. It may be said in passing that I examined the files of the Foreign Office for the telegraphic reports of Ambassador Yoshida which are referred to in the present statement to find that they had been lost in the fire, the originals as well as the copies. But a confidential document of the Foreign Office, "Business Report for the Year 1936 (Book II, Chapter 6: The Efforts at the Rapprochement between Japan and Britain)" submitted by Director Togo of the European-Asiatic Bureau on December 1, 1936, describing the general progress of the negotiations for the rapprochement between Japan and Britain proceeded by the Japanese Government and Ambassador Yoshida at London escaped the fire, and is still preserved there.

(7) We had already conveyed to all our important Ambassadors and Ministers abroad the Foreign Office's policy to conclude political agreements, not too much restrictive in nature, with as many countries as possible. In accordance with this policy, Charge d'Affairs Yamaguchi of our Legation at Hague wanted to set about negotiations with the Netherlands Government in the autumn of 1936, and asked for instructions of the Foreign Office, which, in reply, wired its compliance to him. He met the competent Netherlands authorities several times during the period from the middle of October to the end of the same month. On these occasions, he proposed, in conformity with the instructions of the Japanese Government, to conclude an agreement between the Governments of Japan and Netherlands with a view to exchanging information

concerning the suppression of the activity of the Communist International chiefly in the Netherlands East Indies, and also to have the home land of the Netherlands included within the scope of the said agreement, if the circumstances admitted. It was really expected, as a result of the negotiations at Hague, that such agreement would be concluded somehow or other. But, the official announcement of the conclusion of the Japanese-German Anti-Comintern Pact suddenly cooled down the zeal of the Netherlands Government, and brought the negotiations to a standstill.

The telegrams referred to here were found, upon investigation, to have been lost in the fire; the originals as well as the copies do not now exist in the files of the Foreign Office. But a confidential document of the Foreign Office, "Business Report for the Year 1936 (Book III, Chapter 1, Section iv: The Preliminary Conversations for the Japanese-Dutch Anti-Comintern Pact)", which is still existing, has the description of the general progress of the preliminary conversations for a Japanese-Dutch Anti-Comintern Pact held between Charge d'Affaires Yamaguchi and the competent Netherlands authorities.

(8) In November, 1936, immediately after the conclusion of the Japanese-German Anti-Comintern Pact, the Italian Government desired to conclude a similar agreement between the Governments of Japan and Italy, and Foreign Minister Ciano approached our Ambassador Sugimura several times with the proposal.

The Hirota Cabinet, however, took a very prudent attitude in this connection, in consideration of the unpopularity with the West-European nations of the Japanese-German Anti-Comintern Pact. The Government considered that to conclude a similar pact with the Italian Government immediately after the signing of the Japanese-German Pact would stimulate Britain all the more, and feared that it might render the question of the rapprochement between Japan and Britain quite difficult. But, on the other hand, it was by no means desirable to provoke antipathy of the Italian Government for that, and also it had to be taken into consideration that the Japanese public opinion considerably sympathetic for Ethiopia had rendered the relations between Japan and Italy rather unsmooth. Such being the circumstances, the Japanese Government took a rather evasive attitude in connection with the proposal of the Italian Government. We indeed felt sorry for Ambassador Sugimura who was exerting all his efforts in improving the relations between Japan and Italy, but it could not be helped. It was with the intention to alleviate the difficulty which Ambassador Sugimura was facing in Italy then that the Governments of Japan and Italy announced almost simultaneously that Japan was to close its Legation in Ethiopia and establish a consulate in its stead, while Italy was to open a consulate at Mukden in Manchoukuo. This step taken by the Japanese Government amounted to de facto recognition of the annexation of Ethiopia by Italy. In this connection, the Foreign Office deliberated carefully upon the reaction this step might cause on the Anglo-Japanese relations, reaching the conclusion that Japan might safely take the above-mentioned measure. Britain also took a similar measure, as I remember, shortly after that.

In February, 1937, the Hirota Cabinet resigned en masse, and the Hayashi Cabinet succeeded it. But the attitude of the Japanese Government remained unchanged as far as the question of the Japanese-Italian Anti-Comintern Pact was concerned. I was again Vice-Minister for Foreign Affairs in the new Cabinet under Foreign Minister Sato. Meanwhile, the Italian Government continued to approach the Japanese Government with the same proposal, and Ambassador Sugimura was in an awkward position. Toward the end of May, however, he was transferred to Paris, and Mr. Hotta succeeded him in the office of Japanese Ambassador to Italy.

The Hayashi Cabinet was short-lived. In June, the First Konoye Cabinet was formed, in which Mr. Hirota was Foreign Minister. I remained, again, in the office of Vice-Minister for Foreign Affairs under him.

Ambassador Hotta proceeded to Rome at the end of June or at the beginning of July. Immediately before the Ambassador left Tokyo, Foreign Minister Hirota revealed to the Ambassador that he was, then, at pains to realize the rapprochement between Japan and Britain, and requested that the Ambassador should "stamp his feet" as before with Italy. This I was told by Ambassador Hotta in person.

A month had hardly elapsed after the formation of the Konoye Cabinet when the China Affair broke out. On account of this incident, Japan became gradually unpopular with the peoples of the world, especially with those of Britain and the United States. And, accordingly, there was little hope of success of the negotiations for the rapprochement between Japan and Britain, which was already two years old. In the meantime, the Foreign Office could not afford to offend Italy by keeping such an evasive attitude as stated above with respect to the question of the Japanese-Italian Anti-Comintern Pact which had lagged on for about one year.

In Japan, the sense of international isolation, which had haunted the Japanese general public since the outbreak of the Manchurian Affair, was now felt all the more keenly through the unpopularity of the China Affair. Within the Cabinet as well as within the Army, there were some people who maintained to strengthen the relations between Japan and Italy. On the other hand, the Government of Italy also urged Ambassador Hotta to resume the negotiations which had been started between Foreign Minister Ciano and Ambassador Sugimura. And it was the opinion of the Italian Government at first that the agreement to be concluded between Japan and Italy should be something in the nature of neutrality and consultation treaty. The Japanese Foreign Office again inquired into the repercussion that the conclusion of such agreement might cause upon the relations between Japan and Britain, reaching a conclusion that even the Italian proposal went too far, and that an anti-Comintern pact of the same nature with the Japanese-German Anti-Comintern Pact (exclusive of the Annexed Secret Agreement) should be concluded between Japan and Italy, apart from the Japanese-German Pact. The Cabinet decided upon this policy at the beginning of October. We also sounded the intention of the German Government, and realized that Foreign Minister von Neurath had no objection to that. Thus, the signing of the Pact was arranged between Foreign Minister Ciano and Ambassador Hotta. However, the German Government, mainly at the instance of Ambassador Ribbentrop, suddenly proposed to have Italy participate in the Japanese-German Pact. The Japanese Foreign Office was rather annoyed by the offer of the German Government, fearing that Japan might commit itself more if it yielded to the German proposal. It was also said that Italian Foreign Minister Ciano expressed his dissatisfaction with the German proposal. But, it was decided, upon deliberation among Japan, Germany and Italy, to have Italy participate in the Japanese-German Anti-Comintern Pact as an original signatory in order to save her face, and Italy signed the Pact on December 9 at Rome. This participation of Italy, however, had nothing to do with the Secret Agreement annexed to the said Japanese-German Pact, as the Secret Agreement was not disclosed to the Italian Government.

(9) Mr. Hirota was not concerned in the conclusion of the Japanese-German-Italian Tripartite Pact. It is true that we sometimes heard of certain advocates of the Japanese military during the period from the last days of the Okada Cabinet to the beginning of the Hirota Cabinet, prior to the commencement of the negotiations for the Japanese-German Anti-Comintern Pact. But such were, in fact, officers of comparatively junior classes. The executives of the Japanese Army were said to be opposed to them.

The idea of such Japanese-German military alliance was not in the least revealed to the Foreign Office by the Army while Mr. Hirota was in the office of Foreign Minister in the Konoye Cabinet. Such was indeed out of question for the executive of the Foreign Office.

(10) The committee provided in the protocol attached to the Japanese-German Anti-Comintern Pact of November 25, 1936, was not established while I remained in the office of Vice-Minister for Foreign Affairs. It has never been established, as I understand, even after my transfer from that office on October 15, 1938.

On this 20th day of August, 1947, at Tokyo.

(Signed) HORINOCHI, Kensuke (Seal)

Sworn to and subscribed before me on the above-mentioned date and place.

(Signed) MORISHIMA, Goro (Seal)

Witness

O A T H

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

(Signed) HORINOCHI, Kensuke (Seal)

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Exh NO

極東國際軍事裁判所

亞米利加合衆國其他

對

荒木貞夫其他

宣誓供述者

供述者

東京都目黒區下目黒四ノ八七一

堀内詮介

明治十九年三月三十日生

目分儀我國ニ行ハルル方式ニ從ヒ先ツ別紙ノ通り宣誓ヲ爲シタル上次ノ
如ク供述致シマス

一、私は一九一一年十一月二日、交官補に任ぜられ爾來引續き外務省に奉職し一九四〇年十二月二十一日に退官しました、其の間一九二三年九月乃至同年十二月廣田歐米局長の下に歐米局第二課長の任にあり、又一九三四年三月乃至一九三六年三月廣田外務大臣の下に調査部長及亞米利加局長の任にあり、次で一九三六年四月外務次官に任ぜられ、一九三八年十月十五日駐米大使に任ぜらるゝ迄其の地位にあり其の間一九三六年四月乃至一九三七年二月廣田内閣の有田外務大臣の下に勤務し又一九三七年六月乃至一九三八年五月第一次近衛内閣の廣田外務大臣の下に居りました

二、防共協定は廣田内閣當時外務大臣有田八郎氏の外交意見に端を發するものであります
有田氏は以前から日本の一部には對ソ開戦を宣傳するショイビニストが居ると云ふ事を知つて居りました、又中國に於ける共產黨の活動に付いては日本の立場から注意しなければならぬと云ふ意見を持つて居りました、然し彼は從來長い間の外交官としての經驗及最近歐洲で種種研究した結果として日本はソ聯との友好關係を維持すべきである事を確く信じて居りました、同氏は一九三五年十月在華大使たるべく歸朝命令に接しましたが、其の出發直前、十一月短時日獨逸及波蘭を旅行しました、そしてワルソーでは伊藤公使及山脇公使館附陸軍武官から又柏林では大島大使館附陸軍武官からソ聯の軍事力が侮り難いものであるとの意見を聞き益々前述の信念を固めました

有田氏は又當時在東に於けるソ聯の動向に付ては日本として警戒すべきものがあるから日本はソ聯に對する利害關係の近似して居る獨逸との間に何等か政治的詰合をする事が適當ではなからうかと考へました又同氏は滿洲事變以來日本國民の間に存する國際孤立感を慰藉する事が必要であり、其の爲には日獨の接近が有效な方法ではないかと考へました

以上は私が有田氏から直接聞いた事であります

三、有田氏は一九三六年一月東京に着いた後在華大使に任命され多分二月の末に上海に着きました、三月中旬廣田内閣の外相たるべく招喚されました、同氏は四月二日外相に任ぜられました、私は有田外相の就任後間もなく次官に任命されました、矢張り其の頃の事ですが有田外相は偶々伯林に歸任の爲出發直前に在った武者小路大使と會談の際有田氏が歐洲に在った時から胸中に抱いて居った前述の様な考を述べ且日本政府は獨逸に對し何等か手を打つ必要がある様に考へらるゝと告げました、同大使が東京を發つて約一ヶ月、即ち五月上旬丁度同氏が伯林に着く頃を見計つて有田外相は同大使宛に一日獨間に事項を限定せず、漠然たる形で政治的接近を計る事に付獨逸をサウンドせられ度いとの趣旨の電報を出しました、有田氏が對獨政治的接近の意見を廣田氏に告げたのは此の電信の案文を作成して廣田氏に示したのが最初であります、又私の承知して居る限り廣田氏が前内閣の外相たり

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し時代又は同氏が有田氏外相就任前暫時兼任外相であつた時期に斯種對獨政治的接近を計つた事はありませんでした
 新に駐英大使に任命された吉田茂氏が五月上旬東京を出發する直前有田外相と相談しました、其の際外相は同じく英國側との政治的接近を計る事を大使に依頼しました

四、五月上旬の訓電に對し武者小路大使からは相當頻繁に報告電報がありました、それに依ると當時獨逸側にも日本に接近する機運がありまして交渉は急速に進みました、七月の上旬には同大使から獨逸側提案にかかる日獨防共協定案なるものを電報して來ました、其の提案の内容は前文に於てソ聯の事を不必要に悪く云つたものでありました、又後日日本側の希望で秘密協定になつた附屬取極は最初提案の時は秘密事項にしてはありませんでした、因に右武者小路大使よりの電報は外務省に就き取調へました處其の原文も寫も焼失して現存しないとの事であります

外務省は右獨逸提案中其の前文に於てソ聯の事を不必要に悪く云つて居る部分の修正、其の他辭句の修正の外左の二點から慎重検討を加へました

(一) 獨ソ關係は比較的單純であるが、日ソ關係は國境關係、漁業條約、利權條約等があつて、極めて複雑機微なるものがあるから日獨提携に依りソ聯を過度に刺激し戰爭を誘導するに至らざる様注意を

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要する事
(二) 日獨提携に依り列強殊に英國に不必要に不安の感を抱かしめざる

一方外務省海軍の事務當局をして話合を行はせましたが、其の結果陸軍側に日英接近に強い反對がある事が判明しました、然し外務省側は「獨逸のみと斯の種政治協定を結ぶ事は不可である、獨逸以外の他の國々就中英國との間に協定を結ぶべきである、尤も對英及對獨協定を同時に行ふ事は困難であるから、既に話合が一應進捗して居る獨逸との交渉を先行する事は差支ない」と云ふ趣旨で應酬しましたが、然し事務當局の話合は完全なる合意には至りませんでした、斯様を次第でありますから七月二十四日外務大臣官邸で外務、陸軍首腦部の協議を行ふ事になりました、右會合には外務省から有田大臣、私即ち堀内次官、東郷歐亞局長など、又陸軍から寺内大臣、梅津次官町尻軍務局長などが出席しました、此の會議では前に述べた様な外務省の主張を記載した一の文書が提出され、之に基いて協議が行はれました、該文書は外相の命に依り東郷局長が起草したものであり、又外務省に就き取調へました處此の文書の寫は現存して居るとの事であり、此の協議に於て最初陸軍側は對英接近に強く反對しました、が、外務省側は陸軍が對英交渉に同意しない限り對獨交渉は進捗させないと強く主張しましたので、陸軍も折れまして、遂に其の會議で有

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五、田外相と寺内陸相が本文書に署名して合意の意味を表示しました。以上の様な経過を経まして一九三六年十一月二十五日、日獨防共協定が締結されました。右協定の附屬協定が秘密協定になつて居る爲、世間では該協定が侵略的内容を含んで居ると誤解したものがありませんが、それは事實に反します。之は秘密協定の辭句に依つても明らかであります。又前に申しました通り本協定は獨逸側から提案されたものであります。最初提案された時には秘密事項として提案されたものではあります。然し日本側がソ聯を過度に刺戟する事を顧慮して秘密の形式にする事を主張し左様に決定されたものであります。何故に斯の如き附屬協定を作つたかと申しますと、それはコミンテルンの世界各國に對する活動は實際上ソ聯の援助を受けて居ると云ふ事は當時世界の大多數の國々に於ける常識である。外務省は考へて居りました。そして此の援助の内容は種々あり得るが窮極に於ては軍事的援助があり得る、殊に極東に於ては中國共產軍の活動の事例もあるから此の可能性はあり得るのであると云ふのが、當時の日本政府の考でありました。

六、日英接近問題に付いては一九三六年六月吉田大使着英後、同大使が各方面と接觸しました。外務省は時々同大使から右に關する報告電報を受け前途に望みを抱いて居たのであります。尤も吉田大使の努力はまだサウンドする程度のものであります。其の内に十月の基隆事件

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などがありましたして本問題に付具体的に英國側と交渉を開始する段取に迄は進んで居りませんでした、然るに十一月日獨防共協定の締結が公表されますと、之が英國で非常に不評判でありました、實の所外務省はコミンテルンの活動に對し關心を抱いて居る西歐諸國及アメリカでは此の防共協定の締結には好意を持つて居るものと豫想し、又之が日英接近にも好影響を與へるであろうと觀測して居たのであります、何故ならば一九三五年七月、八月莫斯科で開催された第七回コミンテルン大會の行動は全世界の非共產主義國家に非常な關心を惹起し、英米其の他各國からソ聯政府に對し抗議が行はれ、就中米國政府は右コミンテルンの行動はソ政府が米政府に對し爲して居る米國內政不干渉の誓約違反であると言ふ趣旨の嚴重な抗議をした事實があつたからであります、従つて外務省は日獨防共協定成立後は英國との間に此の事を話そうと考へて居たのであります、此の日本側の考は伯林に於ける交渉中に獨逸側にも傳へてありました、之に對しては獨逸側も替成でありますしてリッペントロップ無任所大使は防共協定の仕事完了した後直ぐ駐英大使として倫敦に赴任する豫定でありましたので、同氏は着英後自分の手で此の運動の口を切り度いと云ふ希望を強く表明し、それに日本側は同意したのであります、日獨防共協定に對する英國の不評判は前述の通りでありましたが、然し外務省はリッペントロップ氏の勢力に依つて此の英國側の誤解が解かれる事を期待したのであります、

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然るにリッペントロップ氏着英後の努力は却つて益々英國の空氣を惡化しました、それで外務省は對英接近工作を一時見合はすの已むなき事となりました、一九三七年二月廣田内閣は總辭職しましたが、私は引續き次官の趣を續けました、同年の六月に近衛内閣が成立しまして廣田氏が大臣として再び外務省に歸つて來ました、そして私は其の下で次官を繼續しました、同氏は一時中止された對英接近問題に付熱意を依然として持つて居りました、此の事は後で述べる伊太利との防共協定問題の經緯で説明する積りであります、因に本項に引用せる吉田大使の報告電報は外務省に就き取調べました處其の原文も寫も焼失して現存しないとの事であります、但し一九三六年中に於ける日本政府及在英吉田大使の日英接近工作の經緯の概要を記載せる外務省機密文書即ち昭和十一年十二月一日歐亞局長東郷茂徳の提出せる昭和十一年度執務報告（第二編第六章對英親善工作問題）は焼失を免れ現に外務省保管文書中に存在して居ります

七、出來得る限り多數の國家との間に拘束力の強くない政治的諒解を付けると云ふ外務省の方針は日本の主要大公使には電報してありました一九三六年の秋在ヘーグの山口代理公使から蘭國政府との話合に着手し度いと云つて本省に指圖を求めて來ました、山口氏の右請訓電報に對し直に本省から承認を與ふる旨電報しました、山口氏は十月中旬から同月末迄二、三回蘭國政府當局と話合ひました、右話合に當り同氏

は本省の訓電に基いて主として蘭印に關聯してコミンテルン活動防止に關する情報の交換を目的とする日蘭兩國間の協定締結を遂げ度く事情許すならば和蘭本國も右協定の範圍に入れ度いと云ふ趣旨を申入れました、ヘーグに於ける交渉の結果蘭印に關しては何等かの形で協定を結ぶ運に入るのではないかと思はれましたが偶々日獨防共協定成立の旨公表がありました結果急に蘭國側の態度が冷却し話合は中絶しました、本項に引用しました電報は外務省に就き取調へました處其の原文も寫も焼失して現存しないとの事であり、但し一九三六年十月中に行はれたる在蘭山口代理公使と蘭國政府當局との日蘭防共協定締結問題に關する交渉の経緯大要は前述せる現存外務省機密文書即ち東郷歐亞局長提出の昭和十一年度執務報告（第三編第一章第四節二、（二）日蘭防共協定豫備會談）中に記載されてあります

八、一九三六年十一月日獨防共協定が成立した直後伊國政府は日伊間に同様の協定締結方を希望しましてチアノ外相から杉村大使に對し數回申出がありました

廣田内閣は日獨協定締結が西歐諸國で不評判であつた事に鑑みまして右伊國側の希望に對しては慎重なる態度を執りました、政府は殊に日獨協定の直後に同種の協定を伊國との間に結ぶ事は一層英國を刺戟し日英接近問題を愈々困難ならしむるものと見たのであります、然し同時に伊國側の反感を買ふ事も面白くありませんでした、それはエチオ

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ビヤ問題で日本の輿論がエチオピアに對し非常に同情的の態度を執つた爲それ以來日伊間の空氣がどうも明明でなかつた事情もあります。斯ふ云ふ譯で日本政府は右伊國側の申入に對しては回惠的な態度を執りました。エチオピア問題以來日伊間の空氣改善に非常に努力した杉村大使には氣毒でしたが止を得ませんでした。そう云ふ譯で日本は在エチオピア公使館を閉鎖して代りに領事館を開設する事を又伊國は滿洲奉天に領事館を開設する事を一九三六年十二月二日兩國同時に發表しましたのは當時杉村大使の伊國に於ける困難な立場を多少とも緩和すると云ふ意味があつたのであります。尙ほ此のエチオピアに關する日本政府の措置は結局伊國のエチオピア併合を事實上承認する事になるのですが、之に關し外務省は右措置の日英關係に及ぼす影響を慎重に研究しました結果大なる影響なからんと云ふ結論に達し該措置を執つたのであります。

一九三七年の二月に廣田内閣が總辭職して林内閣が成立しましたが、日伊防共協定締結問題に關する日本政府の態度には變りはありませんでした。私は林内閣の佐藤外相の下で引續き次官を勤めました。一方伊國側では其の後もチアノ外相から杉村大使に以前と同様の申入があり、杉村氏は甚だ心苦しい立場にありました。多分五月の末頃に同氏は巴里に轉任する事になり、其の後任には堀田氏が任命されました。林内閣は短命で六月に第一次近衛内閣が成立し廣田氏が外相に就任さ

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れました、私は引續き其の下で次官でありました、堀田大使は六月の
 末か七月の初にローマに向ひましたが、廣田外相は堀田大使が東京を
 出發する直前同氏に對し自分は目下對英接近問題に付種々苦心して居
 るから貴方はローマ着任後防共協定問題に付ては從來通り引續き足踏
 をして貰ひ度いと云ふ趣旨を話されたそうです、私は此の事を直接堀
 田大使から聞きました
 近衛内閣成立後一ヶ月も経たない内に支那事變が勃發しました、其の
 爲日本に對する各國の感情が次第に悪くなり、殊に英米の對日感情が
 著しく悪化しました、それ故二年越の日英接近工作は當分見込薄にな
 りました、一方一年以來引きつて來た伊國との防共協定問題に付此
 の上廻避的な態度を執つて同國の反感を買ふ事は外務省の立場として
 も考へねばならぬことでありました
 國內では支那事變に關する世界中の評判が悪いので滿洲事變以來國民
 の間に惹起された國際孤立感が深められて參りました、茲に於て内閣
 や軍部でも日伊關係の緊密化を主張する向がありました、又伊國側で
 も新任の堀田大使に對し杉村大使時代からの話合の再開を迫つて參り
 ました、伊太利側からは最初日伊間に中立及協議條約程度のもを締
 結する事可然と云ふ意向でありました、斯ふ云ふ譯で外務省では改め
 て主として對英關係に對する影響何如と云ふ觀點から研究しました、
 其の結果右伊國側程度のもでも行過であつて日伊關係は日獨防共協

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九、日獨伊三國同盟條約締結問題には廣田氏は全然關係ありません一九三六年日獨防共協定締結問題に關する日獨兩國政府間の折衝が初められるより以前、岡田内閣の末期から廣田内閣成立の當初の事と記憶します、陸軍の一部に日獨軍事同盟を主張するものがあると云ふ事の時々聞きました、然し之は比較的下級將校の意見で幹部は總て反對である、と云ふ噂でありました

定（但し附屬秘密協定を含まないもの）と同趣旨の防共協定を日獨關係とは切離し日伊間のみに締結する事可然と云ふ結論に達しました、そこで十月上旬に右方針に政府の議が決まりました、又獨逸側の意向も打診しました處ノイラート外相に於て右に異存ない事が判明しました、たので愈々チャノ外相と堀田大使との間に調印する事になりました、然るに獨逸では主としてリッペントロップ大使の發意で突然伊國を日獨協定に参加せしむる事可なりと主張し初めました、外務省としては右獨逸側の提議の如くする事は日獨及日伊別々の協定とするよりは日本を一層拘束するものと考へ右獨逸側の申入を迷惑としました、又チアノ外相も獨逸側の申入に對しては不満の意を表したと云ふ事であり、ます、然し日伊獨間に協議の結果伊太利の面目を保つ爲同國を原署名國として参加せしむる事とし十二月九日ローマで調印を了しました、附屬秘密協定は伊國に對しては存在しない建前でありますから同國の参加は該秘密協定には關係ない譯であります

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又近衛内閣の府田外相時代にも陸軍から外務省に對し日獨同盟のアイディアを提議した事は一度もありませんでした、又右の時期に於て外務省の幹部は日獨同盟など云ふアイディアは殆ど問題にもしませんでした

一〇、一九三六年十一月二十五日日獨防共協定附屬議定書に規定せる委員會は私の外務次官在任中、即ち一九三八年十月十五日迄は設置せられませんでした、又其の後にも遂に設置せられなかつたと諒解します

昭和二十二年（一九四七）八月二十日 於東京

供述者 堀 内 謙 介

右ハ當立會人ノ面前ニテ宣誓シ且ツ署名捺印シタルコトヲ證明シマス

同日 於東京

立會人 守 島 伍 郎

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宣
審
判

良心ニ從ヒ眞實ヲ述ベ何事ヲモ黙秘セズ又何事ヲモ附加セザルコトヲ
審フ

署名
捺印堀
内
謙
介